

### **REMARKS**

Prior to entry of this paper, Claims 1-62 were pending. Claims 31-40 were allowed. Claims 17, 22, and 24 were objected to, but would be allowable if rewritten in independent for. In this paper, Claims 11, 14, 20, and 21 are amended. Claims 1-10, 12, 13, 17, 22, and 41-62 are cancelled. Claims 11, 14-16, 18-21, and 23-40 are currently pending. No new matter is added by way of this amendment. For at least the following reasons, Applicant respectfully submits that each of the presently pending claims is in condition for allowance.

#### **Claim Rejections – 35 U.S.C. § 101**

Claim 20 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Applicant has amended claim 20 to clarify it as an article of manufacture in the form of a machine readable medium encoding instructions. Support is found throughout the specification, including page 3, para 1015 and page 14, para. 1049.

#### **Claim Rejections – 35 U.S.C. § 102**

##### **Rejections under 102(b) by Wang**

Claims 1-5, 10, 41-45, 48, and 49 are rejected under 35 U.S.C. 102(b) as being anticipated by Wang et al. (USPN: 5,715,428). Wang is directed to “maintaining coherency in a computer system having multiple caching agents.” Wang, col. 1, lines 14-15. To expedite issuance of allowed and allowable claims, without conceding any limitation to the scope of the invention, and subject to Applicant’s right to file a continuing application, Applicant has cancelled the rejected claims.

##### **Rejections under 102(e) by Gupta**

Claims 21, 26, 28, 53, 55, 57, and 58 are rejected under 35 U.S.C. 102(e) as being anticipated by Gupta (USPN: 6,604,116). Gupta is directed to a memory controller “connected between at least one bus and a memory, with the bus connect to at least two processors. . . to

predict which partially completed transaction is most likely to become completed next.” Gupta, abstract. To expedite issuance of allowed and allowable claims, without conceding any limitation to the scope of the invention, and subject to Applicant’s right to file a continuing application, Applicant has cancelled rejected claims 53, 55, 57, and 58, and has amended independent claim 21 to include the limitations of allowable claim 22. Accordingly, Applicant respectfully requests that the rejection of independent claim 21 under 35 U.S.C. 102(e) be withdrawn. Dependent claims 26 and 28 depend from amended claim 21, and thus are patentable for at least the same reasons as amended independent claim 21. Thus, Applicant respectfully requests that the rejection of dependent claims 26 and 28 under 35 U.S.C. 102(e) also be withdrawn.

### **Claim Rejections – 35 U.S.C. § 103**

#### **Rejections under 103(a) over Wang in view of Hoover**

Claims 6-9, 11-16, 19, 46, and 47 are rejected under U.S.C. 103(a) as being unpatentable over Wang et al, in view of Hoover et al. Hoover is directed to “increasing processing speed by reducing the time required to reissue commands to nonresponsive slave devices.” Hoover, col. 1, lines 8-10. To expedite issuance of allowed and allowable claims, without conceding any limitation to the scope of the invention, and subject to Applicant’s right to file a continuing application, Applicant has cancelled claims 6-9, 12, 13, 46, and 47. Dependent claim 19 depends from amended independent claim 11, which now includes the limitations of allowable claim 17.

Applicant notes that the OA indicates that original claim 17 would be allowable if rewritten in independent form, and that original claim 17 depends from original claim 23. Applicants note that original claim 17 refers to “the unified response,” which is not identified in claim 23 or its preceding claims. However, claim 13 ultimately depends from claim 11, which does identify a unified response. Applicants presume that the examiner recognized the typographical error in the numbering when the examiner found original claim 17 allowable. As

### Rejections under 103(a) over Gupta in view of Wang

Rejections under 103 over Gupta in view of Hoover

### Rejections under 103 over Gupta in view of Abramson

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system.” Abramson, col. 2, line 67 through col. 3, line 1. Applicant again notes that the OA specifies 102(e) as the basis of the rejections, but argues obviousness based on two references. Applicant presumes that it was intended for the OA to specify 103 rejections, not 102 rejections. In any case, to expedite issuance of allowed and allowable claims, without conceding any limitation to the scope of the invention, and subject to Applicant’s right to file a continuing application, Applicant has cancelled claims 54 and 58.

Dependent claim 27 depends from amended independent claim 21, which now includes the limitations of allowable claim 22. Accordingly, Applicant respectfully requests that the rejection of dependent claim 27 under 35 U.S.C. 103 be withdrawn.

Rejections under 103 over Wang in view of Abramson


Claims 51 and 52 are rejected under 35 U.S.C. 102(e) as being anticipated by Wang in view of Abramson et al. Applicant once again notes that the OA specifies 102(e) as the basis of the rejections, but argues obviousness based on two references. Applicant presumes that it was intended for the OA to specify 103 rejections, not 102 rejections. In any case, to expedite issuance of allowed and allowable claims, without conceding any limitation to the scope of the invention, and subject to Applicant’s right to file a continuing application, Applicant has cancelled claims 51 and 52.

**CONCLUSION**

It is respectfully submitted that each of the presently pending claims (Claims 11, 14-16, 18-21, and 23-40) are in condition for allowance and notification to that effect is requested. Examiner is invited to contact the Applicants' representative at the below-listed telephone number if it is believed that the prosecution of this application may be assisted thereby. Although only certain arguments regarding patentability are set forth herein, there may be other arguments and reasons why the claimed invention is patentable. Applicant reserves the right to raise these arguments in the future.

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Respectfully submitted,

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